

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO.744 OF 1992

THE SHIPPING CORPN.OF INDIA ... PLAINTIFFS.
VS.
ASHOK MANOHAR SAMEL ... DEFENDANT.

MR. UTTAM I/B. MULLA & MULLA FOR THE PLAINTIFFS.
NONE FOR THE DEFENDANT.

Coram : S.K.Shah, J.
Date : July 26, 2006.

P.C.

1. The learned Counsel for the Plaintiff states that he is not pressing for prayer clause (b) as the claim in prayer clause (b) has been satisfied.

2. The Suit is undefended against the defendant. The Plaintiff has filed affidavit of evidence as also the documents in support of the allegations made in the plaint. Moreover, the allegations made in the plaint have gone uncontroverted. Therefore, the suit has to be decreed in view of Order VIII Rule 10 of the Code of Civil Procedure, hence, the Order :-

ORDER

1. The Suit is decreed in terms of prayer clause (b) and (h).

2. The learned Counsel for the Plaintiff submits that the other prayers in the Suit would not survive.

3. Decree be drawn up accordingly.

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[S.K.Shah , J.]